

Patent

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tamer ElBatt, et al. ) Re: Information Disclosure  
Statement  
Serial No.: 10/629,327 ) Group: not yet assigned  
Filed: July 28, 2003 ) Examiner: not yet assigned  
Our Ref: B-4419NP 621007-7  
For: "METHOD AND APPARATUS FOR LOAD )  
SWITCHING IN HYBRID RF/FREE..." ) Date: January 14, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. Copies of the foreign patent documents and the non-patent publications listed on the enclosed Form PTO-1449 (modified) are enclosed herewith for the Examiner's convenience. Copies of the published U.S. patent documents listed on the enclosed Form PTO-1449 (modified) are not enclosed, pursuant to Deputy Commissioner Stephen G. Kunin's Pre OG Notice dated July 11, 2003.

It should be noted that the above-identified application may be related by subject matter to the following U.S. Application(s): 10/438,418, filed May 13, 2003; and 09/800,917, filed March 5, 2001 (published as U.S. Publication No. US 2002/0122230 A1 on September 5, 2002). In addition, the present application has claims that may be considered to be similar to the claims in the applications listed above. Pursuant to 37 C.F.R. 1.56(a) and M.P.E.P. 2004, paragraph 9, the applicant brings these co-pending applications to the attention of the Examiner. The Examiner should consider this information during the prosecution of the above-identified application. However, citation of these applications does not constitute an admission that the claims of

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the present application are substantially similar or similar to those of the applications listed above.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for the corresponding International Patent Application No. PCT/US03/23423. A copy of the Search Report (3 pages) is enclosed herewith.

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.

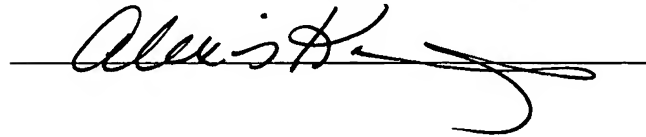
The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual

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associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on January 14, 2003 by Alexis Karriker.



Respectfully submitted,

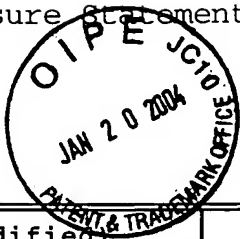


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Enclosures: Form PTO-1449 (modified) (1 page)  
Copy of Search Report for PCT/US03/23423 (3 pages)  
Copy of documents listed on Form PTO-1449 (modified)

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Form PTO-1449 (Modified)	ATTY DOCKET NO. B-4419NP 621007-7	U.S. SERIAL NO. 10/629,327
LIST OF PATENTS AND PUBLICATIONS STATEMENT	APPLICANT(S) Tamer ElBatt, et al.	
	FILING DATE July 28, 2003	GROUP not yet assigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME	CLASS	SUB- CLASS	FILING DATE or 102(e) DATE IF APPROPRIATE
	2002/0097468 A1	Published: 7/25/2002	Mecherle et al.	359	152	
	10/438,418		Kukshya et al.			5/13/2003

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	44 33 896 C1	11/1995	DE			NO
	01/52450 A2	7/2001	WO			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Clark, G., et al., "Hybrid free space optical/microwave communication networks: A unique solution for ultra high-speed local loop connectivity," <i>Optical Wireless Communications III, Proceedings of the SPIE</i> , Vol. 4214, pp. 46-54 (November 6, 2000).
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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.